

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

ALLEN J. PENDERGRASS

Criminal Action No.

1:17-CR-00224-AT-CMS

BILL OF PARTICULARS

The United States of America, by Byung J. Pak, United States Attorney for the Northern District of Georgia, and Jeffrey A. Brown, Assistant United States Attorney, hereby files this Bill of Particulars with respect to financial transactions Defendants engaged in to promote the mail fraud scheme charged in Counts one through five of the Indictment.

(1)

As alleged in Count six of the Indictment of the above numbered case, Defendants conducted financial transactions involving the proceeds of the mail fraud scheme alleged in Counts one through five of the Indictment. Moreover, the Indictment alleges that Defendants deposited fraudulently obtained funds into bank accounts they controlled and then withdrew funds for personal benefit without returning proceeds to the rightful owners. (Doc. 1)

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(2)

The government provided bank records in discovery showing that excess funds fraudulently obtained from the City of Atlanta were deposited in bank accounts controlled by Defendants. These bank records show that Defendant used stolen funds from the City of Atlanta to pay himself, co-defendant and employees of his businesses that allowed the businesses to engage in the fraudulent mail fraud scheme. The financial transactions that were used to promote the mail fraud scheme, include, but were not limited to the following transactions:

- On May 15, 2013, Defendant Pendergrass deposited a fraudulently obtained check in the amount of \$26,874.42 from the City of Atlanta in Wells Fargo Bank account number XXXX3556. On May 16, 2013, Defendant Pendergrass signed checks payable to Terrell L. McQueen in amounts of \$3,000.00 and \$5,602.00, labeled as commissions draw on Wells Fargo Bank account number XXXX3556. On that same date, Defendant Pendergrass also signed checks payable to E.F. and D.B., employees or independent contractors assisting Defendants in the mail fraud scheme.
- On June 20, 2013, Defendant Pendergrass deposited four checks that were proceeds of the Defendants mail fraud scheme. After the funds were deposited in Wells Fargo Bank account number xxxx3556, Defendant Pendergrass used fraud proceeds to fund checks payable to 600 U.S. Courthouse, 75 Ted Turner Drive S.W., Atlanta, GA 30303
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employees/independent contractors working in mail fraud scheme, including himself, co-defendant Terrell McQueen, A.P., E.F., D.B., and other companies he controlled.

(3)

In addition to paying employees that worked with Defendant's companies, Defendants also used stolen funds to operate his fraudulent asset recovery business, including using funds obtained in mail fraud scheme to pay fees to obtain lists of excess funds, purchase postage, and pay business expenses as reflected in purchases made from Wells Fargo Bank account number ending in xxxx3556 in July and August, 2013.

Dated: November 4, 2019

Respectfully submitted,

BYUNG J. PAK
United States Attorney

/s/JEFFREY A. BROWN
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Certificate of Service

The United States Attorney's Office served this document today by filing it using the Court's CM/ECF system, which automatically notifies the parties and counsel of record.

Saraliene S. Durrett
Counsel for Defendant Allen J. Pendergrass

November 4, 2019

/s/ Jeffrey A. Brown

Jeffrey A. Brown

Assistant United States Attorney